

1 HASSARD BONNINGTON LLP  
Thomas M. Frieder, Esq. (SBN No. 95411)  
2 Email: [tmf@hassard.com](mailto:tmf@hassard.com)  
Kendra J. Pappas, Esq. (SBN No. 226992)  
3 Email: [kjp@hassard.com](mailto:kjp@hassard.com)  
Two Embarcadero Center, Suite 1800  
4 San Francisco, California 94111-3941  
Telephone: (415) 288-9800  
5 Fax: (415) 288-9801

6 Attorneys for Defendants  
BAUSCH & LOMB, INC. and  
7 TECHNOLAS PERFECT VISION GMBH,  
Incorrectly sued herein as  
8 TECHNOLAS GMBH PERFECT VISION

9  
10 UNITED STATES DISTRICT COURT  
11 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
12 SAN FRANCISCO DIVISION

13 JOANNA KINZEL and BRENT  
14 KINZEL,

15 Plaintiffs,

16 vs.

17 BAUSCH & LOMB, INC., BAUSCH  
18 & LOMB SURGICAL, INC.,  
TECHNOLAS GMBH PERFECT  
19 VISION and DOES ONE through ONE  
HUNDRED,

20 Defendants.  
21

No. CV-12-4260 MMC

**STIPULATION AND  
[PROPOSED] ORDER  
RELATING TO DATES AND  
DEADLINES FOR CASE  
MANAGEMENT  
CONFERENCE, STATEMENT,  
INITIAL DISCLOSURES,  
REPORTS AND ADR**

[L.R. 7-12]

22  
23 **STIPULATION**

24 On February 22, 2013, a Stipulation and Order Relating to Dates  
25 and Deadlines for Case Management Conference and ADR Deadlines was  
26 entered by the Honorable Maxine M. Chesney. Pursuant to that Order, April 13,  
27 2013 was set as the last day to: (1) meet and confer regarding initial disclosures,  
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1 early settlement, ADR process selection and discovery plan [Fed. R. Civ. P.  
2 26(f) & ADR L.R. 3-5]; (2) file the ADR Certification signed by the Parties and  
3 Counsel [Civ. L.R. 16-8(b) & ADR L.R. 3-5(b)]; and (3) file either Stipulation to  
4 ADR Process or Notice of Need for ADR Phone Conference [Civ. L.R. 16-8(c)  
5 & ADR L.R. 3-5(b) & (c)]. The Order further set April 17, 2013 as the last day  
6 for the parties to file a Rule 26(f) Report, and complete initial disclosures or state  
7 objection in Rule 26(f) Report [Fed. R. Civ. P. 26(a)(1)]. The Order scheduled an  
8 Initial Case Management Conference on April 26, 2013. The Order further  
9 provided that the last day for the parties to file a Joint Case Management  
10 Statement was April 19, 2013.

11 With respect to the current status of this case, it has been resolved.  
12 A stipulation for dismissal with prejudice of the entire action will be filed within  
13 45 days, pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii). Accordingly, the parties  
14 hereby stipulate to adjustments to deadlines as follows:

15 The last day for the parties to perform the following is hereby  
16 adjusted from April 3, 2013 to May 17, 2013: (1) meet and confer regarding  
17 initial disclosures, early settlement, ADR process selection, and discovery plan  
18 [Fed. R. Civ. P. 26(f) & ADR L.R. 3-5]; (2) file the ADR Certification signed by  
19 Parties and Counsel [Civ. L.R. 16-8(b) & ADR L.R. 3-5(b)]; and (3) file either  
20 Stipulation to ADR Process or Notice of Need for ADR Phone Conference [Civ.  
21 L.R. 16-8(c) & ADR L.R. 3-5(b) & (c)].

22 The last day for the parties to file a Rule 26(f) Report, complete  
23 initial disclosures or state objection in Rule 26(f) Report, is hereby adjusted from  
24 April 7, 2013 to May 31, 2013.

25 The initial Case Management Conference is re-set from April 26,  
26 2013 and now will be held before the Honorable Maxine M. Chesney in  
27 Courtroom No. 7, 19<sup>th</sup> floor Federal Building at 10:30 a.m. on June 7, 2013.

1 The deadline to file a Joint Case Management Conference  
2 Statement addressing each agenda item listed in the *Standing Order for All*  
3 *Judges of the Northern District of California/Contents of Joint Case*  
4 *Management Statement* is no less than seven (7) days before the conference  
5 (i.e., May 31, 2013).

6  
7 IT IS SO STIPULATED.

8  
9 DATED: April 4, 2013 HASSARD BONNINGTON LLP

10  
11 By /s/ Thomas M. Frieder

12 Thomas M. Frieder  
13 Attorneys for Defendants  
14 Bausch & Lomb, Inc. and  
15 Technolas Perfect Vision GmbH,  
16 incorrectly sued herein as  
17 Technolas GmbH Perfect Vision

18  
19 DATED: April 4, 2013

20 WALKUP, MELODIA, KELLY &  
21 SCHOENBERGER

22 By 

23 Doris Cheng  
24 Attorneys for Plaintiffs  
25 JOANNA KINZEL and BRENT KINZEL  
26  
27  
28

**ORDER**

PURSUANT TO STIPULATION, IT IS SO ORDERED, with the exception that the Case Management Conference is CONTINUED to **June 14, 2013**. In light of sequestration, the U.S. District Court - San Francisco Division will be closed on June 7, 2013.

DATED: April 8, 2013

  
UNITED STATES DISTRICT JUDGE